IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

Bail Appl..No. 3822 of 2007()

CRIME NO. 349/07 OF CHALAKUDY POLICE STATION

PETITIONER : ACCUSED NO.2:

SOBINS, S/O.BABY, 21 YEARS,
ELUVATHINGAL HOUSE, NORTH CHALAKUDY.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE, CHALAKUDY.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 3822 of 2007

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Dated this the 26th day of June, 2007

O R D E R

Application for anticipatory bail. The petitioner is the second accused. His father is the first accused. The petitioner is the son of the first accused in the earlier marriage of the first accused. The complainant is the second wife of the first accused. Crime has been registered. Investigation is in progress. The petitioner apprehends imminent arrest.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioner can be granted anticipatory bail, subject to appropriate conditions.

3. In the result:

(1) This application is allowed.

(2) The following directions are issued under Section 438 Cr.P.C.

(a) The petitioner shall surrender before the learned Magistrate on 3.7.2007 at 11 a.m. The learned Magistrate shall release the

petitioner on regular bail on condition that he executes a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(b) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 4 p.m. on 4.7.07 and thereafter on all Mondays between 10 a.m. and 12 noon for a period of one month and subsequently as and when directed by the Investigating Officer in writing to do so.

(c) If the petitioner does not appear before the learned Magistrate as directed in clause (1) above, these directions shall lapse on 3.7.07 and the police shall be at liberty thereafter to arrest the petitioner and deal with him in accordance with law.

(d) If the petitioner were arrested prior to his surrender on 3.7.2007 as directed in clause (1) above, he shall be released on bail on his executing a bond for Rs.25,000/- without any surety undertaking to appear before the learned Magistrate on 3.7.2007.

(R. BASANT)
Judge

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